

# **Agenda**

**November 13, 2012**

**Warren Town Council Meeting**

**Town Hall**

**514 Main Street**

**6:00 PM**

**Consent Agenda-** all items listed with an asterisk (\*) are considered to be routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a council member or citizen request in which event the item will be withdrawn from the General Order of Business and considered in the normal sequence on the agenda.

**PLEDGE OF ALLEGIANCE:**

**RECOGNITION:**

**Probate Judge, Morphis A Jamiel**

**SWEARING IN OF TOWN COUNCIL:**

**ELECTION OF COUNCIL OFFICERS:**

**Town Council President**

**Town Council Vice President**

**(Section 3.09 Presiding Officer” of the Warren Town Charter requires the election annually).**

**APPOINTMENT:**

**Special Constable**

**Vincent D. Soboleski**

**INTERVIEWS:**

**Zoning Board (Alternate)**

**1.**

**Voluntary Historic Committee- Board of Appeals**

**1.**

**Juvenile Hearing Board (Alternate)**

**1.**

**ACCEPTANCE OF MINUTES:**

**Acceptance of July 31, 2012 Minutes**

**Acceptance of September 4, 2012 Minutes**

**Acceptance of September 25, 2012 Minutes**

**Acceptance of September 28, 2012 Minutes**

**Acceptance of October 9, 2012 Minutes**

**Acceptance of October 15, 2012 Minutes**

**Acceptance of October 23, 2012 Minutes**

**Acceptance of October 30, 2012 Minutes**

## **CONSENT AGENDA:**

**\*P-1, \*P-2 \*P-3, \*P-4, \*P-5**

## **ORDINANCE:**

**O-1 Request for Public Hearing - first reading)**

**EXISTING 32-89. Setback from Wetlands and Water Bodies**

**Sewage disposal facilities which are designed to leach fluid wastes into the soil shall be located not less than one hundred fifty (150) feet from the edge of any wetland, water body or stream. On tidal water bodies, this measurement shall be made from the normal high tide mark.**

**Except as otherwise provided in this or other applicable regulations, no development shall be located within fifty (50) feet of any wetland, water body or stream unless a variance is granted by the Zoning Board of Review under the provisions of Article IV. In areas of Warren served by individual sewage disposal systems (ISDS), no development shall be located within one hundred (100) feet of any wetland, water body, coastal features or stream unless a variance is granted by the Zoning Board of Review under the provisions of Article IV.**

**PROPOSED Amendment to Zoning Ordinance 32-89**

**Setback from Wetlands, Water Bodies, Coastal Features, Streams and**

## **Drinking Water Supply Sources**

**A. Except as otherwise provided in this or other applicable regulations, no development shall be located within one hundred (100) feet of any wetland, water body, coastal feature, stream or drinking water supply unless a Special Use Permit is granted by the Zoning Board of Review under the provisions of Article IV. For the purposes of this section, OWTS systems and accessory structures are NOT considered development.**

**B. Any new construction, alteration or repairs of OWTS within one hundred (100) feet of any wetland, water body, coastal features, stream or drinking water supply MUST utilize nitrogen reducing OWTS technology. If the property owner can demonstrate that nitrogen reducing OWTS technology will not adversely impact wetlands, water bodies, coastal features, streams and drinking water sources. The Town Engineer shall review this documentation and make a recommendation to the Warren Zoning Board. Costs associated with this review shall be borne by the property owner.**

**C. All development (including OWTS systems and accessory structures) within the Wastewater Management District must comply with the Wastewater Management District Ordinance (Town of Warren, Code of Ordinances, Article IV).**

**PUBLIC HEARING:**

**PH-1**

## **Public Hearing for Renewal of Alcoholic Beverage Licenses.**

### **CLASS - A        LIMIT-3**

- 1. 1776 Barrington d/b/a Patriot Wine & Spirits   145 Main Street**
- 2. Bristol County Spirits d/b/a Ocean State Liquors   601 Metacom Ave**
- 3. Malik's Liquors, Inc.       254 Market Street**

### **CLASS- BVL       LIMIT- 5**

- 1. Blount Fine Foods Corp. d/b/a The Blount Clam Shack 347 Water Street**
- 2. Open Frame, Inc. d/b/a Dudek Bowling Lanes   409 Child Street**
- 3. Vincent Hospitality, Ltd. d/b/a The Cheese Plate   54 State Street**
- 4. Warren House of Pizza, Inc.       464 Main Street**

### **CLASS-BV        LIMIT - 22**

- 1. 2nd Story Theatre, Inc.       28 Market Street**
- 2. Alves Tavern Inc. d/b/a Not Your Average Bar & Grill 275 Child Street**
- 3. C & M Hospitality LLC d/b/a Federal Hill Pizza . 495 Main Street**
- 4. Crossroad Pub Inc. d/b/a Crossroad Restaurant   133 Market Street**
- 5. Davock, BS Inc. d/b/a Market Street Pub       99 Market Street**
- 6. FB Warren, LLC d/b/a Fat Belly's Irish Pub   632 Metacom Ave**
- 7. Jack's Family Restaurant, Inc.       294 Child Street**
- 8. Lauren LLC, d/b/a Lauren Restaurant       601A Metacom Ave**
- 9. Luke's Inn Corp. d/b/a Luke's Inn       650 Metacom Ave**
- 10. MarJan Co. d/b/a The Country Inn       382 Market Street**
- 11. Michjef Rest. Assoc., Inc. d/b/a The Restaurant and Café 437 Main**

## **Street**

**12. Perella's Ristorante Corp. d/b/a Perella's Ristorante 311 Metacom Ave**

**13. Simply Devine Restaurant & Catering/ Simply Devine LLC  
d/b/a Simply Devine 125 Water Street**

**14. Stella Blues Inc. d/b/a Stella Blues Restaurant & Lounge. 50 Miller Street**

**15. Tav Vino Inc. d/b/a Tav Vino Admiral Pub 267 Water Street**

**16. The Cary Corp. d/b/a The Square Peg 51 Miller Street**

**17. Trafford's Inc. d/b/a Trafford's 285 Water Street**

**18. TWT Holdings, LLC d/b/a The Wharf Tavern of RI 215 Water Street**

**19. Warren Pub, Inc. d/b/a Tinkers Nest Irish Pub 322 Metacom Ave**

**20. Windmill Hill Golf Course, Inc. 35 Schoolhouse Rd**

## **CLASS - C LIMIT – 1**

**1. Jack's Bar 187 Water Street**

## **CLASS - D LIMIT – 7**

**1. Clube Recreativo e Cultural Portuguese De Warren 132 Child Street**

**2. East Warren Rod & Gun Club 24 Long Lane**

**3. Italian American Citizens Club 13 Kelly Street**

**4. Warren German American Club 27 Kelly Street**

**5. Warren Portuguese American Club 112 Arlington Ave**

**(All Licenses Contingent on approval from Police Chief, Fire Chief,  
Town & State Taxes and Department of Health.)**

**PH-2**

**Request for a Class BVL Beverage License:**

**From: A & A Hospitality, LLC**

**d/b/a BeBop Burrito**

**40 Market St.**

**Warren, RI 02885**

**PH-3**

**Request for Public Hearing –(advertising for December 11, 2012)**

**Public Hearing for Zoning Map Amendment (continued from 07/12/12)**

**From: Wightman's Farm, LLC**

**560 Metacom Avenue**

**Warren, RI 02885**

**PH-4**

**Request for advertising for December 11, 2012**

**Public Hearing for a Comprehensive Plan- Future Land Use Map  
(continued from 07/12/12)**

**From: Wightman's Farm, LLC**

**560 Metacom Avenue**

**Warren, RI 02885**

**PETITIONS:**

**\*P-1**

**Request renewal of Victualling Licenses**

- 1. 501 Main Street, Inc. d/b/a The Coffee Depot 501 Main St.**
- 2. A. Youssef Inc. d/b/a Super Mart 747 South Main St.**
- 3. All Fresh Donuts Corp. d/b/a Sip & Dip 487 Metacom Ave.**
- 4. All Fresh Donuts Corp. d/b/a Sip & Dip 309 Market St**
- 5. Amaral's Fish & Chips, Inc. 4 Redmond St**
- 6. Blount Market 406 Water St**
- 7. Corner Store (The) 370 Child St**
- 8. Cumberland Farms, Inc. d/b/a Cumberland Farms #1209 66 Market St**
- 9. D.E Foods, Inc. d/b/a Kentucky Fried Chicken 651 Metacom Ave**
- 10. Elizabeth Almeida d/b/a Victorian Flowers/Mooh 606 Metacom Ave #3**
- 11. Elsie's Baked Goods & More, Inc. 601 Metacom Ave**
- 12. Fruity Cow, LLC 8 Turner St**
- 13. Gift Group of America LLC. d/b/a Imagine Barrington 5 Miller St**
- 14. Grace Baptista d/b/a Gracie's Diner & Delights 440 Main St**
- 15. Great Wall House, Inc 606 Metacom Ave #3**
- 16. Iggy's Food Mart, Inc. 292 Market St**
- 17. Irfan al Hassan d/b/a The Corner Store 370 Child St**
- 18. Jan Co Inc. d/b/a Burger King #2335 609 Metacom Ave**
- 19. J.P. Donuts, Inc. d/b/a Dunkin Donuts 375 Main St**
- 20. Kasbac, LLC d/b/a McDonald's Restaurant 636 Metacom Ave**
- 21. Living in Fulfilling Environments (L.I.F.E), Inc.**

**d/b/a The Brass 16 Cutler St**

**22. MC's Lemonade, LLC d/b/a Del's Lemonade 65 Child St**

**23. Metacom Ave. Donuts, Inc. d/b/a Dunkin Donuts 670 Metacom Ave**

**24. MG Food, Inc. d/b/a Subway 509-511 Main St**

**25. Nak Fruits, LLC d/b/a Edible Arrangements 8 Turner St**

**26. Nancy Weigel d/b/a Nancy's Homestyle Deli 139 Main St**

**27. Papa Gino's, Inc. d/b/a Papa Gino's Store 413 623 Metacom Ave**

**28. Pepperonis of Warren, LLC 485 Metacom Ave**

**29. Rod's Grille, Inc. 6 Washington St**

**30. Sam's Food Store 625 Metacom Ave**

**31. Scott Castigliego d/b/a Scott's Fish Market 334 Metacom Ave**

**32. Simply Devine, LLC d/b/a Simply Devine 125 Water St**

**33. The Original Balasco's, Inc.**

**d/b/a The Original Balasco's Pizzeria & Bella Roast Beef 254 Market St.**

**34. Tom's Market , Inc. 137 Child Street**

**35. Warren Donuts, LLC d/b/a Dunkin Donuts 621 Metacom Ave**

**(All Licenses Contingent on approval from Police Chief, Fire Chief, Town & State Taxes and Department of Health.)**

**\*P-2**

**Request for renewal of Game Machine, Pool Table Licenses**

**NAME #POOL #GAME**

**MACHINES MACHINES**

**Alves Tavern Inc. d/b/a Not Your Average Bar & Grill 2 1**

**Clube Recreativo & Cultural Portuguese De Warren 1**

**Davock, BS. Inc d/b/a Market Street Pub 1**

**FB Warren, LLC d/b/a Fat Belly's Irish Pub 1 4**

**Italian American Citizens Club 1**

**Open Frame, Ltd.. d/b/a Dudek Bowling Lanes 8**

**Warren Portuguese American Club 1**

**Papa Gino's 1**

**\*P-3**

**Request for Yearly Entertainment License**

**2nd Story Theatre Live Theatrical Productions**

**Alves Tavern Corp. d/b/a Restaurant 103 DJ/Karaoke/Band Acoustic**

**Blount Seafood Corp. 1-2 person music or other**

**C & M Hospitality, LLC d/b/a Federal Hill Brick Oven Pizza Live single or duos**

**Clube Recreativo e Cultural Portuguese DJ/Band**

**Crossroad Pub Inc. d/b/a Crossroad Restaurant Irish Music**

**Davock, BS Inc. d/b/a Market Street Pub & Pizza Acoustic/Karaoke/3 piece**

**FB Warren, LLC d/b/a Fat Belly's Irish Pub Acoustic Band/DJ/2 piece**

**Italian American Citizens Club DJ**

**Simply Devine Restaurant & Catering/ Simply Devine, LLC**

**d/b/a Simply Devine      2 piece Band**

**Stella Blues Inc. d/b/a Stella Blues Restaurant & Lounge. Live Music**

**Tav Vino, Inc. d/b/a Tav Vino Admiral Pub    Guitar Player**

**Trafford's Inc. d/b/a Traffords      1-2 Band**

**TWT Holdings, LLC d/b/a The Wharf Tavern    DJ/1 piece band**

**Warren German American Club      DJ**

**Warren Portuguese American Club    DJ**

**Warren Pub Inc. d/b/a Tinkers Nest Irish Pub    Acoustic 2-3 piece band/DJ**

**Windmill Hill Golf Course      DJ/2- piece band**

**\*P-4**

**Request for Yearly Entertainment License- NO Liquor**

**The Coffee Depot      Fri/Sat Once a month**

**In Your Ear      Live Performances**

**Sigourney, LLC      Band/DJ-functions**

**St, Thomas the Apostle Church    Band/DJ-functions**

**Frerichs Farm      Events & Festivals**

**\*P-5**

**Request for New Year's Eve -Extended Hours**

**Alves Tavern Corp. d/b/a Restaurant 103    2-4 pc Band**

**Trafford's Inc. d/b/a Traffords      1-2 pc Band**

**TWT Holdings, LLC d/b/a The Wharf Tavern    2-4 pc Band**

**P-6**

**Request Public Hearing for Class BV Liquor License**

**From: Slice LLC**  
**d/b/a Slice Pizza & Pasta Pub**  
**15 Child Street**  
**Warren, RI 02885**

**P-7**

**Request permission to hold a Bon-Fire**  
**From: The Warren Prevention Coalition**  
**Date: Wednesday, November 21, 2012**  
**Place: Veterans Field**  
**Time: 7:00pm-9:00pm**

**P-8**

**Request for a Kennel License**  
**From: Rich Reavis**  
**4 Pokanoket Trail**  
**Warren, RI 02885**

**P-9**

**Request for a Kennel License**  
**From: Kristin Lumnah**  
**7 Emery Drive**  
**Warren, RI 02885**

**P-10**

**Request for a Peddlers License (1 Day)**  
**From: Russell Lefort**

**14 Highview Avenue**

**Warren, RI 02885**

**Event: Holiday Festival**

**Date: November 23, 2012**

**P-11**

**Request a Public Hearing for a Zoning Ordinance Amendment**

**From: John J. Moss (lessee) Enzo Lucciola (owner)**

**646 Wood Street**

**Bristol, RI 02809**

**Address: Plat 23 Lot 149 - 5 New Industrial Road**

**Include Daycare/Pre-School in Article VIII of the Zoning Ordinance as a permitted use in the CI district by special use.**

**CORRESPONDENCE:**

**1. BCWA Update**

**OLD BUSINESS:**

**OB-1**

**Discussion and action regarding Policy and Procedures for agenda items.**

**SOLICITOR:**

**1.**

**Request the Council to authorize payment from a Department of**

**Public Works Account for a claim as submitted by Frances A. Percious, 24 Westminster St., Warren, RI, in the amount of \$1,164.90.**

**TOWN PLANNER:**

- 1. Request approval and authorization for the Town Council President to sign contract  
with Fuss & O'Neill for Jamiel's Park Landfill closure.**
- 2. Discussion and action on 20% grant match for DEM Recreation Trails grant.**
- 3. Discussion and action on the selection of VHB to rewrite the Comprehensive Plan in the amount of \$35,000.**
- 4. Request for sole source purchase of player benches for Jamiel's Park basketball court from M.E. O'Brien & Associates in the amount of \$4,680 (plus \$1,025 shipping).**

**DIRECTOR OF PUBLIC WORKS:**

- 1. Request to award Engine Replacement Read Screen-All to Steve's Equipment, 140 Sunrise Drive, Bristol, RI 02809 for \$11, 01275.**

**TAX ASSESSOR:**

- 1. Abatements 2011 \$ 145.67  
Abatements 2012 \$ 5,047.27**

**POLICE CHIEF:**

- 1. Parking Restriction 54-56 Warren Avenue -Request By Peter & Paul**

**Remington.**

**2. Parking Restrictions in the north-west parking lot of Warren Town Hall.**

**3. Request Council authorization pursuant to:**

**Sec 2-256 – Sole source procurement and emergency procurement (Town Code)**

**(a) A contract may be awarded for a service, supply or construction item without competitive bid when the purchasing officer determines in writing that there is only one (1) source for the required item or service. (Ord. of 12-12-95**

**To purchase a Variable Messaging Sign/Radar Display from All Traffic Solutions of State College, PA for a total of \$15,800.00.**

**FINANCE DIRECTOR:**

**1. Request to overspend the Shared Services – Telephone System Services Account by an amount not to exceed \$5,000.00.**

**Request motion to convene to Executive Session:**

**Discussion and action on items discussed in Executive Session:**

**Adjournment:**

**Individuals requesting interpreter services. For the hearing impaired must notify the Town Clerk's Office at least forty-eight (48) Hours prior to the meeting. 401-245-7340(voice) or "via RI Relay 1-800-745-5555" (TTY).**